

AMENDED IN ASSEMBLY AUGUST 16, 2010

Senate Joint Resolution

No. 28

Introduced by Senator Kehoe
(Principal coauthor: Senator Leno)
(Principal coauthor: Assembly Member Ammiano)
(Coauthor: Assembly Member John A. Pérez)

March 25, 2010

Senate Joint Resolution No. 28—Relative to the 2020 Census.

LEGISLATIVE COUNSEL'S DIGEST

SJR 28, as amended, Kehoe. The 2020 Census.

This measure would urge the Congress ~~and~~, the President of the United States, *and the Secretary of Commerce* to enact legislation *or adopt policies* to have the 2020 Census *and other surveys* gather data on sexual orientation and gender identity.

Fiscal committee: no.

1 WHEREAS, The Constitution of the United States and federal
2 statutory law require the federal government to perform a census
3 of people living in the United States; and
4 WHEREAS, The federal government uses data collected from
5 the census for the allocation of federal funds, including, but not
6 limited to, funding for hospitals, job training centers, schools,
7 public works projects, and emergency services; and
8 WHEREAS, The number of representatives allocated to a state
9 to serve in the United States House of Representatives is based on
10 data collected from the census; and

1 WHEREAS, Statistics based on data collected from the census
2 are used for a myriad of public benefit purposes, including, but
3 not limited to, quality of life issues and advocacy; and

4 WHEREAS, Census data that is available is principally related
5 to same-sex couples; and

6 WHEREAS, Statistics based on data from the 2000 Census have
7 estimated that approximately 5.87 million people in the United
8 States are gay or lesbian; and

9 WHEREAS, The 2010 Census will be the first census to release
10 a count of both same-sex spouses and same-sex unmarried partners;
11 and

12 WHEREAS, The census discriminates against the lesbian, gay,
13 bisexual, and transgender community because it does not currently
14 include questions regarding sexual orientation; and

15 WHEREAS, The census also discriminates against transgender
16 respondents by failing to take into account gender identity; and

17 WHEREAS, Same-sex couples are raising children throughout
18 the country with significantly less economic resources than
19 heterosexual married couples; and

20 WHEREAS, Same-sex couple families are significantly more
21 likely to be classified as poor than are heterosexual married
22 families; and

23 WHEREAS, The census discriminates against the lesbian, gay,
24 bisexual, and transgender community by not having policies in
25 place that identify and count members of this community; and

26 WHEREAS, If the census were to count members of the lesbian,
27 gay, bisexual, and transgender community, the data could be used
28 to appropriately allocate resources and services to this community
29 just as it does other communities; now, therefore, be it

30 *Resolved by the Senate and the Assembly of the State of*
31 *California, jointly,* That the Legislature urges the Congress and
32 the President of the United States to enact legislation to have the
33 2020 Census gather data on sexual orientation and gender identity;
34 and be it further

35 *RESOLVED, That the Legislature calls upon the President of*
36 *the United States to encourage, and the Secretary of Commerce*
37 *to adopt, policies to include the collection of data on sexual*
38 *orientation and gender identity in the 2020 Census and future*
39 *surveys and censuses conducted by the United States Census*
40 *Bureau; and be it further*

1 *Resolved*, That the Secretary of the Senate transmit copies of
2 this resolution to the President of the United States, each Senator
3 and Representative in the Congress of the United States, and to
4 the presiding officer of each house of each state legislature of the
5 states.

O